

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JEROME C. WOODS,)	
Petitioner,)	
)	2:08cv1151
v.)	Electronic Filing
)	
FAYETTE COUNTY COURT HOUSE,)	
et al.,)	
Respondents.)	

Th
MEMORANDUM ORDER

AND NOW, this 25 day of September, 2008, after a petition for a writ of habeas corpus was filed by the petitioner, Jerome C. Woods, and after the Report and Recommendation of the United States Magistrate Judge was issued, and the petitioner was granted thirteen days after being served with a copy to file written objections thereto, and no objections having been filed, and after independent review of the petition and the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted as the opinion of this Court,

IT IS ORDERED that the petition of Jerome C. Woods for a writ of habeas corpus is dismissed, without prejudice, for failure to exhaust the available state court remedies, and because no reasonable jurist could conclude that there is a basis for federal relief at this time, a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.

DS Cercone

David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
United States Magistrate Judge

Jerome C. Woods
Fayette County Prison
12 Court Street
Uniontown, PA 15401